

ESTTA Tracking number: **ESTTA544096**

Filing date: **06/20/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	85319690
Applicant	T-mobile USA, Inc. by merger MetroPCS Wireless, Inc.
Applied for Mark	4G LTE
Correspondence Address	JIM STRUTHERS RICHARD LAW GROUP 8411 PRESTON ROAD, SUITE 890 DALLAS, TX 75225-5500 UNITED STATES clarissa@richardlawgroup.com
Submission	Applicants Request for Remand and Amendment
Attachments	4G LTE Request to Remand.b&w.85319690.pdf(45111 bytes) 4G LTE Exhibits.pdf(862166 bytes)
Filer's Name	James F. Struthers
Filer's e-mail	jim@richardlawgroup.com,clarissa@richardlawgroup.com
Signature	/James F. Struthers/
Date	06/20/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re MetroPCS Wireless, Inc.

Serial No.: 85/319,690
Filed: May 12, 2011
Mark: 4G LTE & Design
Examining: Andrew Leaser, Law Office 112
Attorney

APPLICANT’S REQUEST FOR REMAND

Applicant respectfully requests that the Board suspend the appeal and remand the application for further examination. Applicant desires to introduce additional evidence for consideration, including a consent agreement. Applicant respectfully submits that good cause is demonstrated through, among other things, the fact that this evidence was not available when the Notice of Appeal was filed.

INTRODUCTION

Applicant appeals herein the Examining Attorney’s refusal to register Application Serial No. 85/319,690 for 4G LTE & Design in light of U.S. Registration No. 3,922,100 for LTE and on the grounds that the mark is merely descriptive.

REMARKS

With regard to citation of Registration No. 3,922,100 for LTE, Applicant desires to introduce: (a) the consent agreement attached hereto as Exhibit A; (b) two recently issued third-party LTE-formative registrations and a recently filed third-party LTE-formative application, along with evidence of corresponding use, attached hereto as Exhibit B; and (c) the recent

approval for publication of Applicant's co-pending Application Serial No. 85/319,668 for LTE FOR ALL.

The consent agreement, which was provided by the owner of the cited registration, was executed on February 14, 2013, and could not have been submitted prior to the Notice of Appeal. *See* TBMP § 1207.02 (“[B]ecause a consent agreement offered in response to a refusal to registered under Section 2(d) of the Act, 15 U.S.C. § 1052(d) is inherently difficult and time-consuming to obtain, and may be highly persuasive of registrability, the Board will grant a request to suspend and remand for consideration of a consent agreement if the request, accompanied by the consent agreement, is filed at any time prior to rendering of the Board's final decision on the appeal”)(footnotes omitted).

Similarly, the application set forth in Exhibit B had not been filed, and the registrations set forth in Exhibit B had not issued, at the time the Notice of Appeal was filed. Furthermore, there are no registrations containing LTE in the record, and only two applications, and as such this evidence is not merely cumulative. Applicant respectfully submits this constitutes good cause for remand to consider the evidence set forth in Exhibit B. *See* TBMP § 1207.02.

Finally, the Examiner recently withdrew a 2(d) objection based on Registration No. 3,922,100 for LTE in Applicant's co-pending Application No. 85/319,668 for LTE FOR ALL after considering the consent attached as Exhibit A. At the time the Notice of Appeal was filed, LTE FOR ALL was still under a FINAL refusal, and accordingly this evidence was not previously available. Good cause exists for a remand to consider the reasoning applied to LTE FOR ALL and the desirability of a consistent result in this application.

CONCLUSION

In light of the foregoing, Applicant submits that good cause has been established for a remand and respectfully requests such action.

Respectfully,



James F. Struthers
Molly Buck Richard
Richard Law Group
8411 Preston Rd., Suite 890
Dallas, Texas 75225
(214) 206-4300
(214) 206-4330 fax

EXHIBIT A



CONSENT TO REGISTRATION

14th february, 2013

United States Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Re: U.S. Registration No. 3,922,100 for LTE

Dear Sir/Madam:

We are the owners of U.S. Registration No. 3,922,100 for the mark LTE (the "LTE Registration").

We are providing this letter to MetroPCS Wireless, Inc. for filing with the U.S. Patent and Trademark Office in support of registration of U.S. Trademark Application No.'s 85-368,976 (4G ENABLED LTE and Design (Color)), 85-319,690 (4G LTE (Stylized)), 85-319,696 (4G LTE (Stylized/Color)), 85-319,683 (4G LTE FOR ALL), and 85-319,668 (LTE FOR ALL) in Classes 9 and 38 and Application No. 85-680,948 (4G LTE FOR ME) in Class 38 (together, the "MetroPCS Applications"), against which our LTE Registration has been cited as a bar or potential bar to registration.

Having examined our commercial interests with care, and being familiar with the relevant marketplace, we have concluded that the marks shown in the MetroPCS Applications are sufficiently different from the mark set forth in the LTE Registration to avoid any likelihood of confusion.

Accordingly, we hereby consent to registration by MetroPCS of the marks set forth in the MetroPCS Applications, for the goods and services set forth in the MetroPCS Applications.

Respectfully submitted,

INSTITUT EUROPEEN DES NORMES
DE TELECOMMUNICATIONS


By: Luis Jorge Romero Saro
Title: Director General, ETSI

European Telecommunications Standards Institute - Institut Européen des Normes de Télécommunication - Europäisches Institut für Telekommunikationsnormen

ETSI - 650, route des Lucioles F-06921 Sophia Antipolis Cedex - FRANCE

Tél. : +33 (0)4 92 94 42 00

e-mail : Secretariat@etsi.org - <http://www.etsi.org>

Fax : +33 (0)4 93 65 47 16

Siret N° 348 623 562 00017 - NAF 742 C - Association à but non lucratif enregistrée à la Sous-Préfecture de Grasse (05) N° 7803/88 - N° TVA : FR 14 348 623 562

InfoCentre : Tel. : +33 (0)4 92 94 42 22 - Fax : +33 (0)4 92 94 43 33 - e-mail : infocentre@etsi.org

EXHIBIT B

United States of America

United States Patent and Trademark Office

SIERRA WIRELESS 4G LTE TRI-FI HOTSPOT

Reg. No. 4,286,845

Registered Feb. 5, 2013

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

SIERRA WIRELESS, INC. (CANADA CORPORATION)
13811 WIRELESS WAY
RICHMOND, BC, CANADA V6V3A4

FOR: PORTABLE ELECTRONIC DEVICES, NAMELY, COMPUTER PERIPHERALS FOR WIRELESS TELECOMMUNICATIONS AND DATA NETWORKING FOR TRANSPORTING AND AGGREGATING VOICE, DATA AND VIDEO COMMUNICATIONS ACROSS MULTIPLE NETWORK INFRASTRUCTURES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-0-2012; IN COMMERCE 5-0-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,254,360.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "WIRELESS 4G LTE" AND "HOTSPOT", APART FROM THE MARK AS SHOWN.

SN 85-538,684, FILED 2-9-2012.

AMY HELLA, EXAMINING ATTORNEY



Sean Street Lee

Acting Director of the United States Patent and Trademark Office



My Sprint

Shop

Digital Lounge

Community

Support

Sign in/Register

Sierra Wireless 4G LTE Tri-Fi Hotspot

Search Support

Search

Tips



You're seeing support specific to the Sierra Wireless 4G LTE Tri-Fi Hotspot



Change device

About this device

- Extend your Sprint 3G/4G experience beyond your laptop to any Wi-Fi-enabled device (up to eight).
- Always connect to the fastest speeds available, even when connected to Wi-Fi.
- Share media files on the MicroSD™ card with any DLNA-capable device.
- Improve mobile workplace effectiveness and productivity with continuous communication and real-time responses.

Learn about it

Here's a list of helpful learning resources for the Sierra Wireless 4G LTE Tri-Fi Hotspot

User Guide

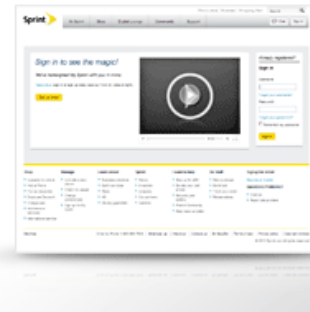
Tutorials

Images

Most popular tutorials

Play with these demos that let you try stuff out — virtually.

- » Check Data Usage - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot
- » Connected but Unable to Browse - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot
- » Initial Sign In and First Use - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot
- » Change the Administrator Password - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot
- » Perform a Master Reset - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot



See all

How do I?

Basics

» Program your Sierra Wireless 4G LTE Tri-Fi Hotspot

Advanced

» Find and update the software on your Sierra Wireless 4G LTE Tri-Fi Hotspot

See all

What's the community buzzing about?

Community thread

No Thread Available
Currently there's no thread available for this phone. Be the first one to start the thread.

Start new thread

Top support discussions

- » Music - Transfer to device
- » Blackberry Style Review
- » Data down in Memphis?
- » Primary account holder
- » Impatient for 4G coverage in San Diego

Most-viewed topics

- » Check Data Usage - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot ★★★★★
- » Find and update the software on your Sierra Wireless 4G LTE Tri-Fi Hotspot ★★★★★
- » Program your Sierra Wireless 4G LTE Tri-Fi Hotspot ★★★★★
- » Connected but Unable to Browse - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot ★★★★★
- » Initial Sign In and First Use - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot ★★★★★
- » Change the Administrator Password - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot ★★★★★
- » Perform a Master Reset - Sierra Wireless(TM) 4G LTE Tri- Sierra Wireless 4G LTE Tri-Fi Hotspot ★★★★★

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sprint.com

Sprint

This site's metrics are **not certified**.

Global provider of voice, data and Internet services.

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Sprint's three-month global Alexa traffic rank is 1,374. This site has been online for at least 23 years. Visitors to the site spend about 35 seconds on each pageview and a total of six minutes on... [Show More](#)

Alexa Traffic Rank

Global Rank **1,374**

Rank in **US** **270**

Reputation

Sites Linking In **11,003**

4 Reviews

Is sprint.com your site?

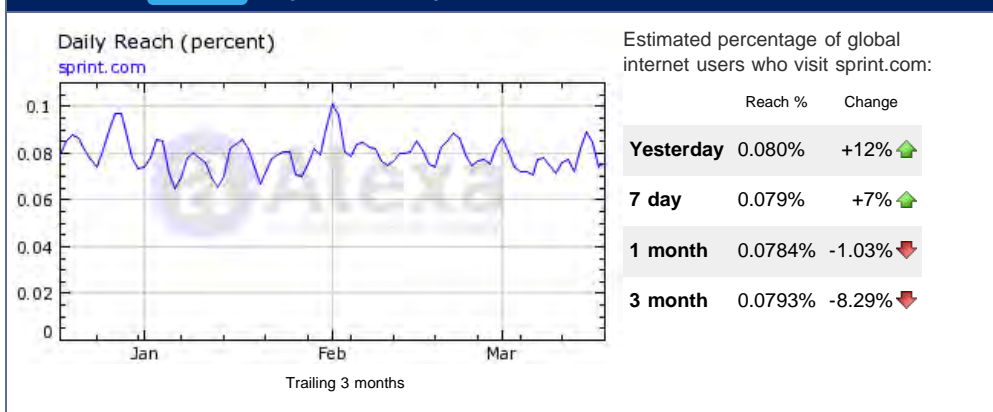
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Average Load Time for Sprint.com

Slow (2.286 Seconds), 71% of sites are faster.

High Impact Search Queries for Sprint.com

Query	Impact
1 sprint	High
2 contact us	High
3 sprint.com	Medium
4 sprint phones	Medium
5 www.sprint.com	Low
6 sprint customer service	Low
7 sprint store	Low

[View the complete Search Analytics](#)

Sprint.com's Regional Traffic Ranks

Country	Rank
United States	270
Mexico	4,662
India	12,276
China	28,152

Where Visitors Go on Sprint.com

Subdomain	Percent of Visitors
sprint.com	67.01%
mysprint.sprint.com	53.08%
shop.sprint.com	33.04%
myaccountportal.sprint.com	24.39%
support.sprint.com	9.70%



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Mark: SIERRA WIRELESS 4G LTE TRI-FI HOTSPOT

**SIERRA WIRELESS 4G LTE
TRI-FI HOTSPOT**

US Serial Number: 85538684

Application Filing Date: Feb. 09, 2012

US Registration Number: 4286845

Registration Date: Feb. 05, 2013

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 05, 2013

Publication Date: Aug. 28, 2012

Notice of Allowance Date: Oct. 23, 2012

▼ Mark Information

▲ Collapse All

Mark Literal Elements: SIERRA WIRELESS 4G LTE TRI-FI HOTSPOT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "WIRELESS 4G LTE" AND "HOTSPOT"

▼ Related Properties Information

Claimed Ownership of US Registrations: 3254360

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Portable electronic devices, namely, computer peripherals for wireless telecommunications and data networking for transporting and aggregating voice, data and video communications across multiple network infrastructures

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 2012

Use in Commerce: May 2012

▼ Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

▼ Current Owner(s) Information

Owner Name: Sierra Wireless, Inc.

Owner Address: 13811 Wireless Way
Richmond, BC V6V3A4
CANADA

Legal Entity Type: CORPORATION

State or Country Where Organized: CANADA

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tanya M. Reitzel

Docket Number: 1560-251

Attorney Primary Email Address: coastal@trademarkable.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: Tanya M. Reitzel
Coastal Trademark Services
1081 Cambie Street
VANCOUVER, BC V6B5L7
CANADA

Phone: 604-687-7432

Fax: 604-687-3478

Correspondent e-mail: info@coastalip.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Feb. 05, 2013	REGISTERED-PRINCIPAL REGISTER	
Jan. 15, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 01, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 29, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Dec. 27, 2012	ASSIGNED TO LIE	68123
Dec. 20, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 29, 2012	STATEMENT OF USE PROCESSING COMPLETE	71034
Nov. 23, 2012	USE AMENDMENT FILED	71034
Nov. 29, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Nov. 23, 2012	TEAS STATEMENT OF USE RECEIVED	
Oct. 23, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 28, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 28, 2012	PUBLISHED FOR OPPOSITION	
Aug. 08, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 24, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Jul. 23, 2012	ASSIGNED TO LIE	67287
Jul. 02, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 27, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 26, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 26, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 25, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 25, 2012	NON-FINAL ACTION E-MAILED	6325
May 25, 2012	NON-FINAL ACTION WRITTEN	76520
May 21, 2012	ASSIGNED TO EXAMINER	76520
Feb. 16, 2012	NOTICE OF PSEUDO MARK MAILED	
Feb. 15, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 13, 2012	NEW APPLICATION ENTERED IN TRAM	

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 29, 2012

▼ **Assignment Abstract Of Title Information - Click to Load**

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- » [Budget & Performance](#)

- » [Freedom of Information Act \(FOIA\)](#)
- » [Department of Commerce NoFEAR Act Report](#)
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- » [STOP!Fakes.gov](#)

- » [Strategy Targeting Organized Piracy \(STOP!\)](#)
- » [Information Quality Guidelines](#)
- » [Department of Commerce](#)
- » [USPTO Webmaster](#)

United States of America

United States Patent and Trademark Office

LTE25

Reg. No. 4,259,190

Registered Dec. 11, 2012

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

ETHERSTACK INC. (DELAWARE CORPORATION)
10TH FLOOR EAST
49 W 27TH STREET
NEW YORK, NY 10001

FOR: APPARATUS FOR TRANSMISSION OF COMMUNICATION; BROADBAND WIRELESS EQUIPMENT, NAMELY, TELECOMMUNICATIONS BASE STATION EQUIPMENT FOR CELLULAR AND FIXED NETWORKING AND COMMUNICATIONS APPLICATIONS; COMMUNICATIONS SOFTWARE FOR CONNECTING P25, TETRA, DMR OR OTHER PTT VOICE OVER LTE; COMPUTER SOFTWARE FOR THE DATABASING, VISUALIZATION, MANIPULATION, VIRTUAL REALITY IMMERSION AND INTEGRATION OF GEOGRAPHIC INFORMATION WITH ON-LINE MEMBER COMMUNITIES; CONTINGENCY RESPONSE COMMUNICATION SYSTEM DESIGNED TO PROVIDE RADIO INTEROPERABILITY, STREAMING VIDEO, WIRELESS INTERNET, AND VOIP PHONE; ELECTRONIC COMMUNICATIONS SYSTEMS COMPRISED OF COMPUTER HARDWARE AND SOFTWARE FOR THE TRANSMISSION OF DATA BETWEEN TWO POINTS; EMERGENCY NOTIFICATION SYSTEM COMPRISED OF A DATA PROCESSOR AND A USER INPUT DEVICE FOR CONNECTING THE DATA PROCESSOR TO AN EMERGENCY RESPONSE ENTITY THROUGH A COMMUNICATION NETWORK AND ALLOWING AUDIO AND DATA COMMUNICATION BETWEEN THE PROCESSOR AND THE ENTITY; INTEROPERABLE COMMUNICATION SYSTEM DESIGNED TO PROVIDE RADIO, STREAMING VIDEO, WIRELESS INTERNET, AND VOIP PHONE; WIRELESS COMMUNICATION DEVICE FEATURING VOICE, DATA AND IMAGE TRANSMISSION INCLUDING VOICE, TEXT AND PICTURE MESSAGING, A VIDEO AND STILL IMAGE CAMERA, ALSO FUNCTIONAL TO PURCHASE MUSIC, GAMES, VIDEO AND SOFTWARE APPLICATIONS OVER THE AIR FOR DOWNLOADING TO THE DEVICE; WIRELESS COMMUNICATION DEVICES FOR VOICE, DATA OR IMAGE TRANSMISSION; WIRELESS COMMUNICATION DEVICES FOR TRANSMITTING IMAGES TAKEN BY A CAMERA, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).



FIRST USE 2-17-2012; IN COMMERCE 2-20-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

David J. Kyfos

Director of the United States Patent and Trademark Office

SN 85-546,438, FILED 2-17-2012.

JENNY PARK, EXAMINING ATTORNEY



TECHNOLOGIES

Features

- ◆ Mission critical, high availability solution
- ◆ Listen to multiple talkgroups simultaneously
- ◆ PTT group calls within the LTE network
- ◆ Talk directly to the dispatch centre
- ◆ Priority and emergency calls supported
- ◆ End-to-end encryption between LTE & P25
- ◆ Location services allows LTE & P25 units to be tracked
- ◆ Uses native P25 vocoder
- ◆ Runs on COTS LTE Android platforms
- ◆ Reduced cost of ownership
- ◆ Geographically diverse disaster recovery node
- ◆ Fast call setup times between P25 & LTE devices

Brochures

- ◆ [LTE25 Overview](#)
- ◆ [LTE25 Softswitch](#)
- ◆ [LTE25 Android Client](#)

LTE25 Solutions

Etherstack's LTE25 solution bridges LTE networks and existing APCO P25 narrowband networks with an integrated, push-to-talk solution. Traditional radio handsets communicate seamlessly with 4G Android devices, allowing for a true interoperability in multi vendor P25 / LTE networks. LTE25 consists of a number of elements hosted (preferably) within the LTE Evolved Packet Core.

LTE25 Softswitch

A high availability all-IP SIP & RTP based softswitch designed specifically for mission critical radio networks. The softswitch supports a rich supplementary service feature set based on public safety LMR network call types including group calls, fastcall setup times, emergency calls and encrypted voice services. The solution supports geographical redundancy (disaster recovery node) and multiple LTE25 softswitches can be deployed within the EPC to provide regionalisation of voice traffic services (reducing backhaul considerations) or greater segregation of traffic services (e.g. police vs. industry).

DSN (Data Service Node)

A high availability all-IP data service node (SGSN/GGSN) that manages SMDCP data connections for secure applications on the LTE25 Android Client handsets, such as encrypted location.

KMF (Key Management Facility)

A high availability network element that manages cryptographic key distribution within the LTE25 and APCO P25 network solution. The KMF manages Over-The-Air-Rekeying (OTAR) sessions between LTE25 Client handsets and the key manager in the network. Etherstack's KMF can be used to rekey either LTE25 client handsets or traditional P25 client handsets from the same manager simultaneously. One or more KMFs (private or shared) can be deployed in the EPC.

PSTNG (PSTN Gateway)

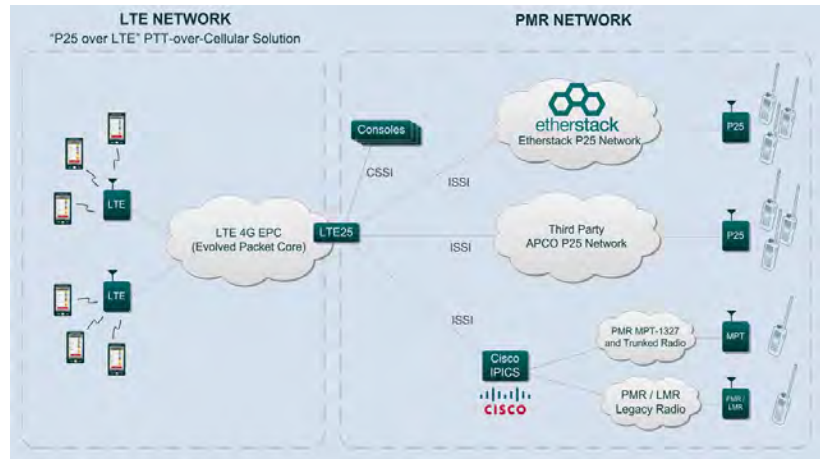
Etherstack's PSTN & PABX Gateway product supporting multiple PSTN interface options, including 2W DTMF, ISDN and IP based telephony interfaces. Multiple PSTNGs can be deployed within the EPC core. End-to-end encryption can be supported between the PSTNG and Android clients, with the audio being presented in the clear to the PSTN / PABX interface.

LOC (Local Operations Console)

Etherstack's state of the art Local Operations Console (LOC) provides team management functions within the client's enterprise network. Distinct from a larger Network Operations Centre (NOC) based console from manufacturers such as Zetron and Intergraph, the LOC provides a desktop based solution blending AVL / GPS fleet management and dispatch calling functions. Utilising Google Earth mapping, the LOC communicates with the LSC to provide mapped location details of team members within the network. The LOC can see both LTE users and P25 users simultaneously and establish calls to individuals or groups of users at the click of a mouse.

LTE25 Network Diagram

Click to enlarge.





The USPTO is pleased to report that the TSDR problem with the display of mark images has been resolved. Please clear your individual browser cache prior to accessing TSDR. If you continue to experience technical difficulties, please email.

Trademark Status & Document Retrieval (TSDR) ?

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Status results found

STATUS	DOCUMENTS ?	Download ▲	Print Preview
Generated on: This page was generated by TSDR on 2013-06-19 18:18:34 EDT			
Mark: LTE25		LTE25	
US Serial Number:	85546438	Application Filing Date:	Feb. 17, 2012
US Registration Number:	4259190	Registration Date:	Dec. 11, 2012
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Dec. 11, 2012		
Publication Date:	Jul. 10, 2012	Notice of Allowance Date:	Sep. 04, 2012
▼ Mark Information ▲ Collapse All			
Mark Literal Elements:	LTE25		
Standard Character Claim:	Yes. The mark consists of standard characters without claim to any particular font style, size, or color.		
Mark Drawing Type:	4 - STANDARD CHARACTER MARK		
▼ Goods and Services			
Note:	The following symbols indicate that the registrant/owner has amended the goods/services:		
	<ul style="list-style-type: none"> Brackets [...] indicate deleted goods/services; Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of Asterisks *..* identify additional (new) wording in the goods/services. 		
For:	Apparatus for transmission of communication; Broadband wireless equipment, namely, telecommunications base station equipment for cellular and fixed networking and communications applications; Communications software for connecting P25, tetra, DMR or other PTT voice over LTE; Computer software for the databasing, visualization, manipulation, virtual reality immersion and integration of geographic information with on-line member communities; Contingency response communication system designed to provide radio interoperability, streaming video, wireless internet, and VOIP phone; Electronic communications systems comprised of computer hardware and software for the transmission of data between two points; Emergency notification system comprised of a data processor and a user input device for connecting the data processor to an emergency response entity through a communication network and allowing audio and data communication between the processor and the entity; Interoperable communication system designed to provide radio, streaming video, wireless internet, and VOIP phone; Wireless communication device featuring voice, data and image transmission including voice, text and picture messaging, a video and still image camera, also functional to purchase music, games, video and software applications over the air for downloading to the device; Wireless communication devices for voice, data or image transmission; Wireless communication devices for transmitting images taken by a camera		
International Class(es):	009 - Primary Class	U.S Class(es):	021, 023, 026, 036, 038
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Feb. 17, 2012	Use in Commerce:	Feb. 20, 2012
▼ Basis Information (Case Level)			
Filed Use:	No	Currently Use:	Yes
Amended Use:	No		
Filed ITU:	Yes	Currently ITU:	No
Amended ITU:	No		

Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

▼ Current Owner(s) Information

Owner Name:	Etherstack Inc.		
Owner Address:	10th Floor East 49 W 27th Street New York, NEW YORK 10001 UNITED STATES		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address:	ETHERSTACK INC. ETHERSTACK INC. 49 W 27TH ST NEW YORK, NEW YORK 10001-6936 UNITED STATES		
Phone:	1-917-661-4110	Fax:	1-646-478-8723
Correspondent e-mail:	doug.hall@etherstack.com	Correspondent e-mail Authorized:	No

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Dec. 11, 2012	REGISTERED-PRINCIPAL REGISTER	
Nov. 07, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Nov. 06, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Oct. 31, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 31, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Oct. 31, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Oct. 31, 2012	ASSIGNED TO LIE	67287
Oct. 15, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 04, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Oct. 04, 2012	NON-FINAL ACTION E-MAILED	
Oct. 04, 2012	SU - NON-FINAL ACTION - WRITTEN	81848
Sep. 12, 2012	STATEMENT OF USE PROCESSING COMPLETE	70565
Sep. 10, 2012	USE AMENDMENT FILED	70565
Sep. 12, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Sep. 10, 2012	TEAS STATEMENT OF USE RECEIVED	
Sep. 04, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 10, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 10, 2012	PUBLISHED FOR OPPOSITION	
Jun. 20, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 05, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 30, 2012	ASSIGNED TO EXAMINER	81848
Feb. 28, 2012	NOTICE OF PSEUDO MARK MAILED	
Feb. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 21, 2012	NEW APPLICATION ENTERED IN TRAM	

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 06, 2012

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Samsung Smart LTE Networks Awarded Best Mobile Infrastructure and Outstanding Overall Mobile Technology - The CTO's choice at Global Mobile Awards 2013

on Feb 28, 2013

Samsung's flagship converged network solution claims top industry prizes for its capacity to deliver unprecedented resource efficiency in LTE networks



BARCELONA, Spain – February 26, 2013 – Samsung Electronics Co., Ltd., an advanced network solutions provider, today announced that its Smart LTE Networks has been awarded Best Mobile Infrastructure and Outstanding Overall Mobile Technology- The CTO's choice at the Global Mobile Awards 2013 held by the GSMA at the annual Mobile World Congress.

The awards recognize the capacity of Samsung Smart LTE Networks to deliver not only exceptional network efficiency and performance, but also new revenue streams for operators by providing opportunities to enable value added services on the LTE network. In particular, the Outstanding Overall Mobile Technology prize, judged by CTOs from 16 leading mobile operators from around the world, is the highest industry accolade achievable at the prestigious annual awards.

Smart LTE Networks applies cloud computing capabilities at the edge of network to maximize network utilization through a unique radio resource allocation technology. This, in turn, enhances performance of VoLTE, SON and Carrier Aggregation. Smart LTE Networks also enables edge cloud applications for end-users, enabling the introduction of new services and revenue opportunities for carriers.

"We are delighted and honored to receive these prestigious awards from the GSMA. We are fully committed to bringing innovative and business-critical network solutions to carrier customers around the world to meet their expanding LTE needs," said Youngky Kim, Executive Vice President and Head of Networks Business at Samsung Electronics. "The impressive results shown by early trials and deployments of Smart LTE Networks demonstrate that Samsung is at the forefront of developing the industry's most

powerful and efficient LTE network solutions. We will continue to invest and demonstrate ongoing efforts to provide the most versatile solutions for our customers.”

Samsung's Smart LTE Networks was first commercialized in 2012 and is already proving its performance in Seoul, Korea, one of the densest urban areas in the world, with national carriers Korea Telecom and SK Telecom. The solution has also been proven in the European market with a successful field trial with Deutsche Telekom AG in Prague, Czech Republic. The Prague trial yielded results that demonstrated a significant increase of throughput capacity at the cell edge of up to 120%, and an overall average network throughput increase of 30%, dramatically improving the customer experience while simultaneously reducing operator CAPEX.

About Samsung Electronics Co., Ltd.

Samsung Electronics Co., Ltd. is a global leader in technology, opening new possibilities for people everywhere. Through relentless innovation and discovery, we are transforming the worlds of televisions, smartphones, personal computers, printers, cameras, home appliances, LTE systems, medical devices, semiconductors and LED solutions. We employ 236,000 people across 79 countries with annual sales exceeding KRW 201 trillion. To discover more, please visit www.samsung.com

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Mark: SAMSUNG SMART LTE NETWORKS

SAMSUNG SMART LTE NETWORKS

US Serial Number: 85851155 **Application Filing Date:** Feb. 15, 2013

Register: Principal

Mark Type: Trademark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Jun. 10, 2013

▼ Mark Information

Mark Literal Elements: SAMSUNG SMART LTE NETWORKS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

▼ Foreign Information

Priority Claimed: Yes

Foreign Application Number: 11573656 **Foreign Application Filing Date:** Feb. 14, 2013

Foreign Application/Registration Country: EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM)

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: LTE radio network solutions which integrate base stations with general-purpose IT servers

International Class(es): 009 - Primary Class **U.S Class(es):** 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b) 44(d)

▼ Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	Amended ITU: No
Filed 44D: Yes	Currently 44D: Yes	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

▼ Current Owner(s) Information		
Owner Name:	Samsung Electronics Co., Ltd.	
Owner Address:	129, Samsung-ro, Yeongtong-gu, Suwon-si Gyeonggi-do KOREA, REPUBLIC OF	
Legal Entity Type:	CORPORATION	State or Country Where Organized: KOREA, REPUBLIC OF
▼ Attorney/Correspondence Information		
Attorney of Record		
Attorney Name:	Stephen R. Barrese and Rocco Barrese	Docket Number: 587-544
Correspondent		
Correspondent Name/Address:	STEPHEN R. BARRESE AND ROCCO BARRESE DILWORTH & BARRESE, LLP 1000 WOODBURY RD STE 405 WOODBURY, NEW YORK 11797-2511 UNITED STATES	
Phone:	516-228-8484	Fax: 516-228-8516
Domestic Representative - Not Found		
▼ Prosecution History		
Date	Description	Proceeding Number
Jun. 10, 2013	NON-FINAL ACTION MAILED	
Jun. 10, 2013	NON-FINAL ACTION WRITTEN	74301
May 29, 2013	ASSIGNED TO EXAMINER	74301
Feb. 25, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 19, 2013	NEW APPLICATION ENTERED IN TRAM	
▼ TM Staff and Location Information		
TM Staff Information		
TM Attorney:	PEREZ, STEVEN M	Law Office Assigned: LAW OFFICE 101
File Location		
Current Location:	TMEG LAW OFFICE 101 - EXAMINING ATTORNEY ASSIGNED	Date in Location: Jun. 10, 2013
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